No. 06-607

IN THE

Supreme Court of the United States

ROBERT KAHRE

Petitioner.

v.

SWISS CASINOS OF AMERICA, ET AL.,

Respondents.

On Petition For Writ Of Certiorari
To The United States Court of Appeals for the Ninth Circuit

PETITIONER'S SUPPLEMENTAL APPENDIX

ROBERT KAHRE
Petitioner, Pro Se
6270 Kimberly, Ste. D
Las Vegas, NV 89122
(702) 454-9221

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Unpublished Memorandum Decision
of April 16, 2004, U.S. Court of Appeal
For the Ninth Circuit, Case No. 03-15751,
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NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

ROBERT KAHRE,
Plaintiff - Appellant,

v.

THOMAS BIGGAR, ET AL.,
Defendants - Appellees.

No. 03-15751
D.C. No. CV-02-197-KJD (LRL)
MEMORANDUM*

FILED
APR 16 2004
CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS
Appeal from the United States District Court
for the District of Nevada
Kent J. Dawson, District Judge, Presiding

Submitted April 12, 2004**

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*This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by Ninth Circuit Rule 36-3.

**The panel unanimously find this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Before: HALL, O'SCANNLAIN, and RYMER, Circuit Judges.

Robert Kahre appeals pro se the district court's judgment dismissing his action which arose from discovery orders issued in a Nevada state court action.
We dismiss the appeal.

On February 27, 2003, the district court entered separate judgment dismissing Kahre's action. Kahre filed his notice of appeal on April 23, 2003, 55 days after the entry of judgment, Kahre's reliance on Fed. R. App. P. 4(a)(1)(B) is unavailing because appellee Mahan, at the time of the events giving rise to Kahre's action, was not an officer of the United States, but rather the judge presiding over Kahre's state court action.

Consequently, we lack jurisdiction over this appeal and grant appellees' motion to dismiss for lack of jurisdiction. *See* Fed. R.App. P. 4(a)(1)(A).

DISMISSED.